

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name: Gulf States Paper Corporation
Mailing Address: 200 Stephens Drive, P.O. Box 366
Nicholasville, Kentucky 40340-0366

Source Name: Gulf States Paper Corporation
Mailing Address: Same

Source Location: 200 Stephens Drive, Nicholasville, Kentucky

Permit Type: Federally-Enforceable
Review Type: Title V, Conditional Major (HAPS)

Permit Number: V-01-003
Log Number: G430
Application Complete Date: December 21, 2000

KYEIS ID #: 21-113-00003
SIC Code: 2657

Region: Frankfort
County: Jessamine

Issuance Date: March xx, 2001
Expiration Date: March xx, 2006

John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on December 21, 2000, the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto and shall become the final permit unless the U.S. EPA files an objection pursuant to 401 KAR 50:035, Section 21(3).

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

01 (--) Two Roland 800, 6 Color Offset Presses

Description:

Two six color offset presses:

One constructed in 1985

One constructed in 1987 with an infrared dryer and aqueous coating unit

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:010, New process operations which commenced on or after July 2, 1975.

State-Origin Applicable Regulations:

1. Operating Limitations:

NA

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

401 KAR 59:010, New process operations

a. Section 3(2): PM emissions shall not exceed 2.34 lbs/hr per offset press.

b. Section 3(1): Visible emissions shall not equal or exceed 20% opacity.

Compliance Demonstration:

Unless an opacity violation is documented by Division personnel, this point is assumed to be in compliance with the mass and opacity limits.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

02 (--) Scrap Handling

Description:

Scrap carton material from the cutting operation is vacuumed into one of three cyclones and deposited into a designated room. Scrap is then vacuumed into another cyclone and sent to a baler.

APPLICABLE REGULATIONS:

See Section C - INSIGNIFICANT ACTIVITIES

1. Operating Limitations:

NA

2. Emission Limitations:

NA

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

03 (--) Rotogravure Press

Description:

Rotogravure Press Line with Afterburner and Associated Equipment including Parts Cleanup.
OPERATION REMOVED IN APRIL 1999.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

05 (--) Indirect Heat Exchanger

Description:

Cleaver Brooks Model CB293-175A. Rated Capacity 7.323 mmBTU/hr. Natural Gas used as the primary fuel and No. 2 Fuel Oil as backup. Constructed 1971.

APPLICABLE REGULATIONS:

Regulation 401 KAR 61:015, Existing Indirect Heat Exchangers which commenced construction prior to April 9, 1972.

1. Operating Limitations:

NA

2. Emission Limitations:

401 KAR 61:015, Existing Indirect Heat Exchangers

- a. Section 4(1): PM emissions shall not exceed 0.75 lb/mmBTU.
- b. Section 4(3): Visible emissions shall not exceed 40% opacity.
- c. Section 5(1): SO₂ emissions shall not exceed 6.0 lbs/mmBTU.

Compliance Demonstration:

Compliance with items 4 and 5 below shall be deemed compliance with the PM, opacity and sulfur dioxide limits above.

Unless an opacity violation is documented by Division personnel, this point is assumed to be in compliance with the mass and opacity limits.

3. Testing Requirements:

If deemed necessary by the Division, stack testing shall be performed in accordance with 401 KAR 61:015, Section (7).

4. Specific Monitoring Requirements:

The permittee shall obtain and make available for inspection upon request fuel oil sulfur content certifications with each purchase.

5. Specific Recordkeeping Requirements:

The rate of fuel oil burned shall be measured and recorded monthly. These records shall be made available to the Division upon request.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

06 (--) Indirect Heat Exchanger

Description:

Superior Model 13-5-1000. Rated Capacity 8.4 mmBTU/hr. Natural Gas used as the primary fuel and No. 2 Fuel Oil as backup. Constructed 1987.

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:015, New indirect heat exchangers which commenced construction after April 9, 1972.

1. Operating Limitations:

NA

2. Emission Limitations:

401 KAR 59:015, New Indirect Heat Exchangers

- a. Section 4(1c): PM emissions shall not exceed 0.503 lb/mmBTU.
- b. Section 4(2): Visible emissions shall not exceed 20% opacity.
- c. Section 5(1c(1)): SO₂ emissions shall not exceed 2.49 lbs/mmBTU.

Compliance Demonstration:

Compliance with items 4 and 5 below shall be deemed compliance with the PM, opacity and sulfur dioxide limits above.

Unless an opacity violation is documented by Division personnel, this point is assumed to be in compliance with the mass and opacity limits.

3. Testing Requirements:

If deemed necessary by the Division, stack testing shall be performed in accordance with 401 KAR 59:015, Section (8).

4. Specific Monitoring Requirements:

The permittee shall obtain and make available for inspection upon request fuel oil sulfur content certifications with each purchase.

5. Specific Recordkeeping Requirements:

The rate of fuel oil burned shall be measured and recorded monthly. These records shall be made available to the Division upon request.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

07 (--) Three No. 2 Fuel Oil Storage Tanks

APPLICABLE REGULATIONS:

See Section C - INSIGNIFICANT ACTIVITIES

1. Operating Limitations:

NA

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

08 (--) Four Gluing Lines

Description:

Glue is applied to certain areas of the cartons.

APPLICABLE REGULATIONS:

See Section C - INSIGNIFICANT ACTIVITIES

1. Operating Limitations:

NA

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

09 (--) Window Machine

Description:

Glassine windows are glued into some of the packaging.

APPLICABLE REGULATIONS:

See Section C - INSIGNIFICANT ACTIVITIES

1. Operating Limitations:

NA

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

10 (--) Jogger-Aerator

Description:

The Jogger-Aerator is used to align sheets on a pallet and remove defective product manually.

APPLICABLE REGULATIONS:

See Section C - INSIGNIFICANT ACTIVITIES

1. Operating Limitations:

NA

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

11 (--) Four Cutting Presses and Preparatory Operations

Description:

Fugitive VOC emissions.

APPLICABLE REGULATIONS:

See Section C - INSIGNIFICANT ACTIVITIES

1. Operating Limitations:

NA

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

12 (--) Marquip Sheeter with Flexographic Printing

Description:

Sheeter with flexographic printing capability - sheeter (maximum rated capacity - 18900 lbs/hr) controlled by the building as an enclosure at 70 % efficiency, flexographic ink (maximum rated capacity - 76 lbs/hr), cleanup (maximum rated capacity - 1.5 lbs/hr), natural gas dryers - 2.4 MMBtu/hr maximum rated capacity

Construction commenced: 1998

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:010, New process operations applicable to each affected facility which commenced construction on or after July 2, 1975.

Regulation 401 KAR 59:212, New graphic arts facilities using rotogravure and flexography applicable to each affected facility which commenced construction on or after June 24, 1992.

1. Operating Limitations:

401 KAR 59:212, New graphic arts facilities using rotogravure and flexography

Section 6(1): The affected facility must utilize a water-borne ink whose volatile portion consists of seventy-five(75) volume percent water and twenty-five(25) volume percent organic solvent (or a lower VOC content) in all printing units.

Compliance Demonstration:

If deemed necessary by the cabinet, the cabinet shall obtain samples of the ink used at the affected facility to verify that the inks meet the requirements in Section 6 of 401 KAR 59:212.

Compliance with the volatile portion limitation shall be determined by recordkeeping. See No. 5 of this section.

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

401 KAR 59:010, New process operations

a. Section 3(2): PM emissions shall not exceed 2.34 lbs/hr.

b. Section 3(1): Visible emissions shall not equal or exceed 20% opacity.

Compliance Demonstration:

PM emissions are determined to be in compliance with the allowable based on material balance using maximum rated capacity throughput, building enclosure and an emission factor of 0.002 lb/ton. Unless an opacity violation is documented by Division personnel, this point is assumed to be in compliance with the opacity limits.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

Visual emissions observations from the sheeter shall be made daily.

5. Specific Recordkeeping Requirements:

1. Daily records shall be maintained by the source for the most recent five year period. These records shall be made available to the cabinet or the U.S. EPA upon request. These records shall include, not be limited to, the following:
 - (a) Applicable regulation number;
 - (b) Application method and substrate type;
 - (c) Amount and type of graphic arts material or solvent used at each point of application, including exempt compounds;
 - (d) The VOC content as applied in each graphic arts material or solvent;
 - (e) The date for each application for graphic arts material or solvent;
 - (f) The amount of surface preparation, clean-up, or wash-up solvent (including exempt compounds) used and the VOC content of each; and
 - (g) Oven temperature, if applicable.
2. A log shall be kept of all emission observations. Notification in the daily log shall be made of, but not limited to the following:
 - (a) Whether any air emissions (except for water vapor) were visible from the plant.
 - (b) Whether the visible emissions were normal for the process
 - (c) Whether the emissions were light or heavy
 - (d) The cause of any abnormal emissions, and any corrective actions taken.

6. Specific Reporting Requirements:

See Section F, Monitoring, Record Keeping, and Reporting Requirements.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

13 (--) Roland 900, 8 Color Offset Printing Press

Description:

Offset printing press - offset ink (maximum rated capacity -100 lbs/hr), UV inks (maximum rated capacity - 130 lbs/hr), Aqueous coating (maximum rated capacity - 234 lbs/hr), Offset cleanup (maximum rated capacity - 2 gals/hr), Etch (maximum rated capacity -2.5 lbs/hr)
Construction commenced: 1998

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:210, New fabric, vinyl and paper surface coating operations applicable to each affected facility which commenced construction on or after June 24, 1992.

1. Operating Limitations:

401 KAR 59:210, New fabric, vinyl, and paper surface coating operations.

Section 6(1): The VOC content of the aqueous coating used shall be less than 2.9 lbs/gal, excluding water or exempt solvent or both, delivered to the applications associated with the coating line.

Compliance demonstration:

1. If deemed necessary by the Division, samples of the aqueous coatings shall be provided upon request to verify that the coatings meet the requirements of 401 KAR 59:210.
2. Compliance with the aqueous coating VOC content limitation shall be determined by recordkeeping. See No. 5 of this section.

2. Emission Limitations:

See Section D-SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**5. Specific Recordkeeping Requirements:**

Pursuant to Regulation 401 KAR 59:210, daily records shall be maintained by the source for the most recent five year period. These records shall be made available to the Division or U.S.EPA upon request. These records shall include, but not be limited to the following:

- a. Applicable regulation number;
- b. Application method and substrate type;
- c. Amount and type of adhesive, coating (including catalyst and reducer for multicomponent coatings), or solvent used at each point of application, including exempt compounds;
- d. The VOC content as applied in each adhesive, coating, or solvent;
- e. The date for each application of adhesive, coating, or solvent;
- f. The amount of surface preparation, clean-up, or wash-up solvent (including exempt compounds) used and the VOC content of each; and
- g. Oven temperature, if applicable.

6. Specific Reporting Requirements:

See Section F, Monitoring, Record Keeping, and Reporting Requirements.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

| | <u>Description</u> | <u>Generally Applicable Regulation</u> |
|-----|---|--|
| 1. | Bobst CER 140 Cutter | 59:010 |
| 2. | 8 Storage Tanks with less than 10,567 capacity containing a petroleum liquid with a vapor pressure of less than 1.5 psia. | N/A |
| 3. | Wax Applicator | N/A |
| 4. | Scrap Handling | 59:010 |
| 5. | Jogger-Aerator | 59:010 |
| 6. | Platemaking | N/A |
| 7. | Parts Washer | 59:185 |
| 8. | Fugitive Emissions | 63:010 |
| 9. | Safety Solvent Cleanup | N/A |
| 10. | Four Gluing Lines | N/A |
| 11. | Cutting Bulk Material with Ethyl Acetate | N/A |

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

Source-wide emissions of Hazardous Air Pollutants (HAPS), as defined by Regulation 52:001Section 1(39), shall not equal or exceed 10 tons per year for each individual HAP and 25 tons per year of total HAPS.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]
3. In accordance with the requirements of 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
 - a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
 - b. Have access to and copy, at reasonable times, any records required by the permit:
 - i. During normal office hours, and
 - ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency; and
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the division's Frankfort Regional Office at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

These reports shall contain all information and calculations necessary to demonstrate that the source-wide emission limit of 10 tons of individual HAP and 25 tons of total HAP is not being exceeded. The following information shall be used to determine HAP emissions: HAP content of inks, coatings and solvents used (MSDS) and amount of each ink, coating and solvent used. A year is defined as any consecutive 12 month period.

The reports are due within 30 days after the end of each six-month reporting period that commences on the initial issuance date of this permit. The permittee may shift to semi-annual reporting on a calendar year basis upon approval of the regional office. If calendar year reporting is approved, the semi-annual reports are due January 30th and July 30th of each year.

Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to Section 6(1) of 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.

6. a. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Frankfort Regional Office concerning startups, shutdowns, or malfunctions as follows:
1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
- b. In accordance with the provisions of 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Frankfort Regional Office within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by general condition F.5.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

7. Pursuant to 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Frankfort Regional Office and the U.S. EPA in accordance with the following requirements:
- a. Identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status regarding each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent; and
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e).
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date, or by January 30th of each year if calendar year reporting is approved by the regional office. Annual compliance certifications should be mailed to the following addresses:

**Division for Air Quality
Frankfort Regional Office
643 Teton Trail, Suite B
Frankfort, Kentucky 40601**

**U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

8. In accordance with 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.

**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING
REQUIREMENTS (CONTINUED)**

9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of 401 KAR 50:035, Permits, Section 7(3)(d) [and for federally enforceable permits is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act)] and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 50:035, Section 12(2)(c);
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the division, in writing, information that the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority.

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]
11. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035, Permits, Section 7(2)(b)5]
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]
15. Permit Shield: Except as provided in 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.
16. All previously issued construction and operating permits are hereby subsumed into this permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)**(b) Permit Expiration and Reapplication Requirements**

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 50:035, Permits, Section 12].

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 50:035, Section 15.
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit;and,

SECTION G - GENERAL CONDITIONS (CONTINUED)

- d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]
- (g) Risk Management Provisions
 1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346
 2. If requested, submit additional relevant information to the division or the U.S. EPA.
- (h) Ozone depleting substances
 1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

SECTION G - GENERAL CONDITIONS (CONTINUED)

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A